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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/619,154 | 07/14/2003 | James Patrick Griffin JR. | 91233.069703 | 6780 |
| 44331 | 7590 | 11/17/2005 | | |
| HISCOCK & BARCLAY, LLP 2000 HSBC PLAZA ROCHESTER, NY 14604-2404 | | | EXAMINER STRIMBU, GREGORY J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3634 | |
| DATE MAILED: 11/17/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,154

Applicant(s)

GRIFFIN, JAMES PATRICK

Examiner

Gregory J. Strimbu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2005 and 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 28 is/are pending in the application.
- 4a) Of the above claim(s) 16, 17 and 28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Olton.

Olton discloses a shock disperser affixed to a door D, comprising a door reinforcing plate 14 having a first portion 17 covering a vertical edge of the door and extending a significant length of the edge, the door reinforcing plate having a second portion 15 covering an outer surface portion of the door.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Long. Olton discloses a security device affixed to a door D comprising a door reinforcing plate 14 having a first portion 17 covering a vertical edge of the door and extending a significant length of the edge, the door reinforcing plate

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having a second portion 15 covering an outer surface portion of the door. Olton is silent concerning a frame plate.

However, Long discloses a stainless steel reinforcing frame plate 10 affixed to a corresponding vertical portion of a door frame.

It would have been obvious to one of ordinary skill in the art to provide Olton with a frame plate and door frame combination, as taught by Long, to further increase the strength of the closure assembly.

Claims 1-3, 5, 6, 7, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Childress. Olton discloses a security device affixed to a door D comprising a door reinforcing plate 14 having a first portion 17 covering a vertical edge of the door and extending a significant length of the edge, the door reinforcing plate having a second portion 15 covering an outer surface portion of the door. Olton is silent concerning a frame plate.

However, Childress discloses a door reinforcing plate 118 and a frame plate 110 affixed to a corresponding vertical portion of a door frame, the door includes a dead bolt assembly 44 and a latch assembly 40, the reinforcing plate includes a deadbolt passage (not numbered, but shown in figure 1) and a door latch passage (not numbered, but shown in figure 1) which communicate with a dead bolt receptacle 44, as shown in figure 3, and a door latch receptacle 42, as shown in figure 3, of the frame plate via first and second passages (not numbered, but shown in figure 3), respectively. The

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reinforcing plate 118 is connected to the door 10 with an adhesive. See column 4, lines 17-18.

It would have been obvious to one of ordinary skill in the art to provide Olton with a frame plate assembly, dead bolt assembly, latch assembly, and adhesive, as taught by Childress, to further increase the strength and security of the closure assembly.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Long as applied to claims 1-3 and 7-10 above, and further in view of Barnes. Barnes discloses a door reinforcing plate B having widened portions C reinforcing surfaces of the door proximate a latch assembly.

It would have been obvious to one of ordinary skill in the art to provide Olton, as modified above, with widened portions, as taught by Barnes, to increase the strength of the door adjacent the latch and dead bolt assemblies.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Long as applied to claims 1-3 and 7-10 above, and further in view of Beitel. Beitel discloses a reinforcing device 18, 20 extending about all edges of a door 10.

It would have been obvious to one of ordinary skill in the art to provide Olton, as modified above, with a reinforcing plate about the remaining edges of the door, as taught by Beitel, to protect of all edges of the door.

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Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Childress as applied to claims 1-3, 5, 6, 7, 9 and 12 above, and further in view of Stein. Stein discloses a silicon adhesive.

It would have been obvious to one of ordinary skill in the art to provide Olton, as modified above, with a silicon adhesive, as taught by Stein, to increase the bond between the door and the door reinforcing plate.

Claims 1-3, 7, 8, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Anderson. Olton discloses a security device affixed to a door D comprising a door reinforcing plate 14 having a first portion 17 covering a vertical edge of the door and extending a significant length of the edge, the door reinforcing plate having a second portion 15 covering an outer surface portion of the door. Olton is silent concerning a frame plate.

However, Anderson discloses a frame plate 50 affixed to a corresponding vertical portion of a door frame and extends substantially the entire length of the vertical portion of the door frame. See column 3, line 47.

It would have been obvious to one of ordinary skill in the art to provide Olton with a frame plate, as taught by Anderson, to further increase the strength of the closure assembly.

Claims 1-3, 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olton in view of Raulerson et al. Olton discloses a security device affixed to a door

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D comprising a door reinforcing plate 14 having a first portion 17 covering a vertical edge of the door and extending a significant length of the edge, the door reinforcing plate having a second portion 15 covering an outer surface portion of the door. Olton is silent concerning a frame plate.

However, Raulerson et al. discloses frame plates 22a, 22b and 22c affixed to the vertical and horizontal portions of a door frame.

It would have been obvious to one of ordinary skill in the art to provide Olton with frame plates, as taught by Raulerson et al., to protect the door frame.

Claims 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olton as applied to claims 18-20 above, and further in view of Childress. Childress discloses a door reinforcing plate 118 and a frame plate 110 affixed to a corresponding vertical portion of a door frame, the door includes a dead bolt assembly 44 and a latch assembly 40, the reinforcing plate includes a deadbolt passage (not numbered, but shown in figure 1) and a door latch passage (not numbered, but shown in figure 1) which communicate with a dead bolt receptacle 44, as shown in figure 3, and a door latch receptacle 42, as shown in figure 3, of the frame plate via first and second passages (not numbered, but shown in figure 3), respectively. The reinforcing plate 118 is connected to the door 10 with an adhesive. See column 4, lines 17-18.

It would have been obvious to one of ordinary skill in the art to provide Olton with a frame plate assembly, dead bolt assembly, latch assembly, and adhesive, as taught by Childress, to further increase the strength and security of the closure assembly.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olton as applied to claims 18-20 above, and further in view of Beitel. Beitel discloses a reinforcing device 18, 20 extending about all edges of a door 10.

It would have been obvious to one of ordinary skill in the art to provide Olton with a reinforcing plate about the remaining edges of the door, as taught by Beitel, to protect of all edges of the door.

Response to Arguments

Applicant's arguments filed September 14, 2005 have been fully considered but they are moot in view of the new grounds of rejection.

Conclusion

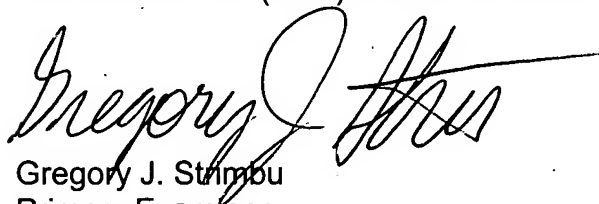
THIS ACTION IS NOT MADE FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu
Primary Examiner
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November 11, 2005